

CHAPTER 1347

Development Districts

The Development Districts are for the purpose of accommodating a mixture of land uses in areas traditionally known as the “Traverse City Ironworks” area, the “Depot” area and the “Red Mill” area. Residential uses are to be combined with shopping, restaurant, office and entertainment uses to create a village-like atmosphere. Compact, pedestrian-friendly developments which integrate well with adjacent properties are characteristic of these projects.

CROSS REFERENCES

Zoning and planning in home rules cities - MCLA 117.4i

Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581

Regulation of buildings; authority to zone - MCLA 125.582

Regulation of congested areas - MCLA 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a

Signs - B & H Chapter 1476

1347.01	Uses allowed.	1347.06	Building height.
1347.02	Uses allowed by special land use permit.	1347.07	Accessory buildings.
1347.03	Lot, density and impervious surface provisions.	1347.08	Parking, loading and driveways.
1347.04	Setbacks.	1347.09	Special requirements.
1347.05	Encroachments into the setbacks.		

1347.01 USES ALLOWED.

No use shall be open to the public between the hours of 2:00 a.m. and 6:00 a.m.

The following uses of land and buildings, together with accessory uses, are allowed:

Ironworks (D-1), Depot (D-2) and Red Mill (D-3) areas:

- C-2 uses without drive-throughs
- Banquet halls or conference rooms
- Communication establishments
- Contractors’ offices with no outside storage
- Lodging facilities
- Markets, public or municipal
- Parking structures, public or private, subject to the following standards:
 - (1) Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. Ramping shall be concealed from public view to the greatest degree possible.
 - (2) Openings shall not exceed 60% of the total wall surface. Openings shall be vertical or square.
 - (3) Sloped roofs are not required for parking decks, however:
 - A. The upper and lowest level of parking shall incorporate sufficient screening to shield cars from public view.

B. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs and other devices which are consistent with the language of historical buildings may be employed.

(4) The design of parking decks shall be consistent with the design of historical buildings in the area.

- Stores, retail, no larger than 8,000 square feet per floor per single retailer.
- Theaters, except outdoor theaters

(Ord. 496. Passed 7-6-99. Ord. 748. Passed 5-21-07. Ord. 782. Passed 2-4-08. Ord. 803. Passed 6-16-08. Ord. 936 Passed 4-2-2012)

1347.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed if a special land use permit is issued according to the standards of this Code:

- Communication towers;
- Convention centers;
- Essential services buildings;
- Finance services with drive-throughs;
- Stores, retail, over 8,000 square feet per floor;
- Taller buildings (buildings taller than 60 feet or over 4 stories),
- Transit centers in the D-2 and D-3 District.
- Transitional housing and Emergency shelters
- Wind Energy Building-Mount

(Ord. 476. Passed 7-6-99. Ord. 610. Passed 9-2-03. Ord. 938. Passed 4-2-12. Ord. 1005. Passed 7-7-14)

1347.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

	<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
Depot:	--		N/A	70%
Ironworks:	--		N/A	80%
Red Mill:	--		N/A	80%

(Ord. 476. Passed 7-6-99. Ord. 889. Passed 11-1-10.)

1347.04 SETBACKS.

(a) **Front setbacks:**

Building:

D-1 - Ironworks:	3 feet
D-2 - Depot:	3 feet
D-3 - Red Mill:	3 feet, except 8 feet from Grandview Parkway and 20 feet from Gillis Street.

Parking areas: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) **Side setbacks (minimum):**

Building:

D-1 - Ironworks: None

D-2 - Depot: None

D-3 - Red Mill: None

Parking areas: 5 feet, except a minimum 10-foot side setback is required on any side adjoining an R-district.

(c) **Rear setbacks:**

Building:

D-1 - Ironworks: None

D-2 - Depot: None

D-3 - Red Mill: None

Parking areas: 5 feet, except a 20-foot setback is required for any parking area abutting, adjacent to or across a public alley from an R-District

(d) **Corner and through lots** shall have a front setback on each street.

(e) **Water setbacks:**

Ironworks: 25 feet from dock line established by City ordinance.

(f) **Bridge setbacks:** Buildings shall be set back a distance of 25 feet from any bridge abutment.

1347.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into required setbacks are allowed except eaves, chimneys, sills, belt course, cornices and ornamental features not to exceed 18 inches are permitted to extend within the setbacks.

1347.06 BUILDING HEIGHT.

(a) **Building height:**

(1) **D-1 - Ironworks:**

Along 8th Street (west of Lake Street within 100 feet of the right-of-way): 45 feet maximum.

Remaining area: 45 feet. An additional 15 feet is allowed if 25% of the project is designed and used for residential uses and the building is no taller than 60 feet.

An additional 15 feet is allowed if 25% of the project is designed and used for dwellings and 75 feet is not exceeded. The fifth story requires a special land use permit or planned unit development.

That portion of a building above 60 feet shall be recessed a minimum of 10 feet from the facade facing a public street.

(2) **D-2 - Depot:**

Along 8th Street (within 100 feet of the right-of-way): 45 feet maximum.

Remaining Area: 45 feet. An additional 15 feet is allowed if 25% of the project is designed and used for dwellings and the building is no taller than 60 feet.

Another 15 feet is allowed by a special land use permit or planned unit

development if 25% of the project is designed and used for residential uses and 75 feet is not exceeded.

That portion of a building taller than 60 feet shall be recessed a minimum of 10 feet from the facade facing the public street.

(3) **D-3 - Red Mill:**

That portion of a building within 100 feet from the property line along east Gillis Street (extended to Grandview Parkway) is limited to 45 feet.

Buildings within 100 feet of Grandview Parkway shall not exceed a building height of 45 feet.

Remaining Area: 45 feet. An additional 15 feet is allowed if 25% of the project is designed and used for residential uses and the building is no taller than 60 feet. Another 15 feet is allowed by a special land use permit or planned unit development if 25% of the project is designed and used for dwellings and 75 feet is not exceeded.

That portion of a building taller than 60 feet shall be recessed a minimum of 10 feet from the facade facing the public street.

Any existing five (5) story building in the D-3 District, constructed prior to 2005 within thirty (30) feet from the right-of-way line of Grandview Parkway, is exempt from minimum residential requirements, provided that it shall comply with all other underlying zoning requirements.

(b) **Exceptions:**

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 699. Passed 3-20-06. Ord. 734. Passed 3-19-07. Ord. 940. Passed 4-7-12)

1347.07 ACCESSORY BUILDINGS.

An accessory building shall be constructed using materials and features similar to the principal building if the accessory building exceeds 500 square feet in gross floor area.

1347.08 PARKING, LOADING AND DRIVEWAYS.

Requirements for parking, loading and driveways are contained in Chapter 1372.

1347.09 SPECIAL REQUIREMENTS:

Ironworks (D-1), Depot (D-2) and Red Mill (D-3) areas. To preserve and reinforce the context of historic buildings and to establish land development patterns of the development districts, all new buildings and additions to existing buildings are to be designed and constructed in accordance with the following standards:

- (a) The predominant building wall and entryway shall face the public or private street.
 - (b) Unless determined to be impractical, by the Planning Director, the building width shall not be less than 90 percent of the property width at the street.
 - (c) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements; however, offsets in any wall shall not be less than eight inches from the subject plane.
 - (d) Horizontal building modulation like awnings, balconies and roof features shall be used to reduce the perceived mass of a large building.
 - (e) Fenestration, cornices and other primarily horizontal architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the area.
 - (f) Window glass planes shall be recessed at least four inches from the outside of all building walls to create a shadow line except in bay windows and to other projecting window elements.
 - (g) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
 - (h) New buildings and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials used in the district and every building facade shall be constructed of materials comparable in aesthetic value.
 - (i) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
 - (j) Except for buildings that are solely residential, windows or street level activities are required on 50 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and exterior circulation.
 - (k) For each 90 feet of linear building frontage, pedestrian entrances are required. Pedestrian entrances may open onto the sidewalk or mid-block passages or walkways leading to the public right-of-way. Entries must be prominently identified and must not interfere with safe pedestrian passage along walkways. Primary entries must be set back a minimum of four feet from the property line.
 - (l) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.
- (Ord. 698 Passed 3-20-06. Ord. 996. Passed 6-2-14)

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